To: Shea N. Palavan(shea@palavan.com)

Subject: U.S. Trademark Application Serial No. 97801001 - DAVAM AESTHETICS -

Arabzadeh-DA

**Sent:** November 29, 2023 07:27:51 PM EST

**Sent As:** tmng.notices@uspto.gov

### **Attachments**

4709446

4709446

4641263

screencapture-www-merriam-webster-com-dictionary-aesthetics-17013036760271

# **United States Patent and Trademark Office (USPTO)**Office Action (Official Letter) About Applicant's Trademark Application

U.S. Application Serial No. 97801001

Mark: DAVAM AESTHETICS

### **Correspondence Address:**

SHEA N. PALAVAN
PALAVAN & MOORE, PLLC
5353 WEST ALABAMA STREET, SUITE 303
HOUSTON TX 77056
UNITED STATES

**Applicant:** Payman Arabzadeh

Reference/Docket No. Arabzadeh-DA

Correspondence Email Address: shea@palavan.com

### NONFINAL OFFICE ACTION

**Response deadline.** File a response to this nonfinal Office action within three months of the "Issue date" below to avoid <u>abandonment</u> of the application. Review the Office action and respond using one of the links to the appropriate electronic forms in the "How to respond" section below.

**Request an extension.** For a fee, applicant may <u>request one three-month extension</u> of the response deadline prior to filing a response. The request must be filed within three months of the "Issue date" below. If the extension request is granted, the USPTO must receive applicant's response to this letter within six months of the "Issue date" to avoid abandonment of the application.

**Issue date:** November 29, 2023

The referenced application has been reviewed by the assigned trademark examining attorney. Applicant must respond timely and completely to the issue(s) below. 15 U.S.C. §1062(b); 37 C.F.R. §\$2.62(a), 2.65(a); TMEP §\$711, 718.03.

### **SUMMARY OF ISSUES:**

- Section 2(d) Refusal Likelihood of Confusion
- Disclaimer Required

### SECTION 2(d) REFUSAL – LIKELIHOOD OF CONFUSION

Registration of the applied-for mark is refused because of a likelihood of confusion with the mark in U.S. Registration No. 4709446 and 4641263. Trademark Act Section 2(d), 15 U.S.C. §1052(d); *see* TMEP §§1207.01 *et seq.* See the attached registration.

Applicant's mark is "DAVAM AESTHETICS", presented in standard character form, for use in connection with the following services:

International Class 44: Medical care; Medical screening information services featuring reminder alerts regarding medical examinations that individuals should undergo for preventative care purposes; Consulting services in the field of medical care; Primary care medical services; Provision of health care and medical services by health care professionals via the Internet or telecommunication networks; Provision of medical services by health care professionals via the internet or telecommunication networks; Urgent medical care centers

Registrants' marks are "DAVAM" presented in standard character form and "DAVAM URGENT CARE" presented with design, for use in connection with the following services:

International Class 44: Providing medical care services in the field of urgent medical care for minor emergencies, pediatric and family care, bariatric care, sports medicine, outpatient surgery, outpatient physical therapy, and cosmetic and dermatological care; providing medical testing, imaging and advisory services in the field of urgent medical care for minor emergencies, pediatric and family care, bariatric care, sports medicine, outpatient surgery, outpatient physical therapy, and cosmetic and dermatological care; and providing counseling services on health and wellness

Trademark Act Section 2(d) bars registration of an applied-for mark that is so similar to a registered mark that it is likely consumers would be confused, mistaken, or deceived as to the commercial source of the goods and/or services of the parties. *See* 15 U.S.C. §1052(d). Likelihood of confusion is determined on a case-by-case basis by applying the factors set forth in *In re E. I. du Pont de Nemours & Co.*, 476 F.2d 1357, 1361, 177 USPQ 563, 567 (C.C.P.A. 1973) (called the "*du Pont* factors"). *In re i.am.symbolic, llc*, 866 F.3d 1315, 1322, 123 USPQ2d 1744, 1747 (Fed. Cir. 2017). Any evidence of record related to those factors need be considered; however, "not all of the *DuPont* factors are relevant or of similar weight in every case." *In re Guild Mortg. Co.*, 912 F.3d 1376, 1379, 129 USPQ2d 1160, 1162 (Fed. Cir. 2019) (quoting *In re Dixie Rests., Inc.*, 105 F.3d 1405, 1406, 41 USPQ2d 1531, 1533 (Fed. Cir. 1997)).

Although not all *du Pont* factors may be relevant, there are generally two key considerations in any likelihood of confusion analysis: (1) the similarities between the compared marks and (2) the

relatedness of the compared goods and/or services. *See In re i.am.symbolic, llc*, 866 F.3d at 1322, 123 USPQ2d at 1747 (quoting *Herbko Int'l, Inc. v. Kappa Books, Inc.*, 308 F.3d 1156, 1164-65, 64 USPQ2d 1375, 1380 (Fed. Cir. 2002)); *Federated Foods, Inc. v. Fort Howard Paper Co.*, 544 F.2d 1098, 1103, 192 USPQ 24, 29 (C.C.P.A. 1976) ("The fundamental inquiry mandated by [Section] 2(d) goes to the cumulative effect of differences in the essential characteristics of the goods [or services] and differences in the marks."); TMEP §1207.01.

### **Similarity of the Marks**

Marks are compared in their entireties for similarities in appearance, sound, connotation, and commercial impression. *Stone Lion Capital Partners, LP v. Lion Capital LLP*, 746 F.3d 1317, 1321, 110 USPQ2d 1157, 1160 (Fed. Cir. 2014) (quoting *Palm Bay Imps., Inc. v. Veuve Clicquot Ponsardin Maison Fondee En 1772*, 396 F.3d 1369, 1371, 73 USPQ2d 1689, 1691 (Fed. Cir. 2005)); TMEP §1207.01(b)-(b)(v). "Similarity in any one of these elements may be sufficient to find the marks confusingly similar." *In re Inn at St. John's, LLC*, 126 USPQ2d 1742, 1746 (TTAB 2018) (citing *In re Davia*, 110 USPQ2d 1810, 1812 (TTAB 2014)), *aff'd per curiam*, 777 F. App'x 516, 2019 BL 343921 (Fed. Cir. 2019); TMEP §1207.01(b).

Consumers are generally more inclined to focus on the first word, prefix, or syllable in any trademark or service mark. See Palm Bay Imps., Inc. v. Veuve Clicquot Ponsardin Maison Fondee En 1772, 396 F.3d 1369, 1372, 73 USPQ2d 1689, 1692 (Fed. Cir. 2005) (finding similarity between VEUVE ROYALE and two VEUVE CLICQUOT marks in part because "VEUVE . . . remains a 'prominent feature' as the first word in the mark and the first word to appear on the label"); Century 21 Real Estate Corp. v. Century Life of Am., 970 F.2d 874, 876, 23 USPQ2d 1698, 1700 (Fed Cir. 1992) (finding similarity between CENTURY 21 and CENTURY LIFE OF AMERICA in part because "consumers must first notice th[e] identical lead word"); see also In re Detroit Athletic Co., 903 F.3d 1297, 1303, 128 USPQ2d 1047, 1049 (Fed. Cir. 2018) (finding "the identity of the marks' two initial words is particularly significant because consumers typically notice those words first").

In this case, the marks "DAVAM AESTHETICS" and "DAVAM" and "DAVAM URGENT CARE" are similar in commercial impression. All the marks share the term "DAVAM" as the first and more dominant feature of the mark. The difference in the other wording in the marks, namely, "AESTHETICS" and "URGENT CARE" does not obviate the similarity between the marks because the wording is merely descriptive as evidenced by the disclaimer in the record and the disclaimer set forth below. Although marks are compared in their entireties, one feature of a mark may be more significant or dominant in creating a commercial impression. *See In re Viterra Inc.*, 671 F.3d 1358, 1362, 101 USPQ2d 1905, 1908 (Fed. Cir. 2012); *In re Nat'l Data Corp.*, 753 F.2d 1056, 1058, 224 USPQ 749, 751 (Fed. Cir. 1985); TMEP §1207.01(b)(viii), (c)(ii). Disclaimed matter that is descriptive of or generic for a party's goods and/or services is typically less significant or less dominant when comparing marks. *See In re Detroit Athletic Co.*, 903 F.3d 1297, 1305, 128 USPQ2d 1047, 1050 (Fed. Cir. 2018) (citing *In re Dixie Rests., Inc.*, 105 F.3d 1405, 1407, 41 USPQ2d 1531, 1533-34 (Fed. Cir. 1997)); *Made in Nature, LLC v. Pharmavite LLC*, 2022 USPQ2d 557, at \*41 (TTAB 2022); TMEP §1207.01(b)(viii), (c)(ii).

Further, the word portions of the marks are nearly identical in appearance and commercial impression; therefore, the addition of a design element does not obviate the similarity of the marks in this case. *See In re Shell Oil Co.*, 992 F.2d 1204, 1206, 26 USPQ2d 1687, 1688 (Fed. Cir. 1993); TMEP §1207.01(c)(ii).

Additionally, the difference in design features does not obviate the similarity of the marks in this case because Applicant's mark is in standard character form and thus could be presented in the same manner of display. a mark in typed or standard characters may be displayed in any lettering style; the rights reside in the wording or other literal element and not in any particular display or rendition. *See In re Viterra Inc.*, 671 F.3d 1358, 1363, 101 USPQ2d 1905, 1909 (Fed. Cir. 2012); *In re Mighty Leaf Tea*, 601 F.3d 1342, 1348, 94 USPQ2d 1257, 1260 (Fed. Cir. 2010); 37 C.F.R. §2.52(a); TMEP §1207.01(c)(iii). Thus, a mark presented in stylized characters and/or with a design element generally will not avoid likelihood of confusion with a mark in typed or standard characters because the word portion could be presented in the same manner of display. *See, e.g., In re Viterra Inc.*, 671 F.3d at 1363, 101 USPQ2d at 1909; *Squirtco v. Tomy Corp.*, 697 F.2d 1038, 1041, 216 USPQ 937, 939 (Fed. Cir. 1983) (stating that "the argument concerning a difference in type style is not viable where one party asserts rights in no particular display").

Therefore, considered in their entireties, the marks convey highly similar commercial impressions due to the shared term "DAVAM". Any differences in the marks in appearance, sound and connotation is outweighed by the marks similarity in commercial impression.

As such, the marks are confusingly similar pursuant to Section 2(d) of the Trademark Act.

### **Similarity of the Services**

The goods and/or services are compared to determine whether they are similar, commercially related, or travel in the same trade channels. *See Coach Servs., Inc. v. Triumph Learning LLC*, 668 F.3d 1356, 1369-71, 101 USPQ2d 1713, 1722-23 (Fed. Cir. 2012); *Herbko Int'l, Inc. v. Kappa Books, Inc.*, 308 F.3d 1156, 1165, 64 USPQ2d 1375, 1381 (Fed. Cir. 2002); TMEP §§1207.01, 1207.01(a)(vi).

Determining likelihood of confusion is based on the description of the goods and/or services stated in the application and registration at issue, not on extrinsic evidence of actual use. *See In re Detroit Athletic Co.*, 903 F.3d 1297, 1307, 128 USPQ2d 1047, 1052 (Fed. Cir. 2018) (citing *In re i.am.symbolic, llc*, 866 F.3d 1315, 1325, 123 USPQ2d 1744, 1749 (Fed. Cir. 2017)).

In this case, the application use(s) broad wording to describe medical services, which presumably encompasses all goods and/or services of the type described, including registrant(s)'s more narrow Providing medical care services in the field of urgent medical care for minor emergencies, pediatric and family care, bariatric care, sports medicine, outpatient surgery, outpatient physical therapy, and cosmetic and dermatological care; providing medical testing, imaging and advisory services in the field of urgent medical care for minor emergencies, pediatric and family care, bariatric care, sports medicine, outpatient surgery, outpatient physical therapy, and cosmetic and dermatological care; and providing counseling services on health and wellness. *See, e.g., In re Solid State Design Inc.*, 125 USPQ2d 1409, 1412-15 (TTAB 2018); *Sw. Mgmt., Inc. v. Ocinomled, Ltd.*, 115 USPQ2d 1007, 1025 (TTAB 2015). Thus, applicant's and registrant's services are legally identical. *See, e.g., In re i.am.symbolic, llc*, 127 USPQ2d 1627, 1629 (TTAB 2018) (citing *Tuxedo Monopoly, Inc. v. Gen. Mills Fun Grp., Inc.*, 648 F.2d 1335, 1336, 209 USPQ 986, 988 (C.C.P.A. 1981); *Inter IKEA Sys. B.V. v. Akea, LLC*, 110 USPQ2d 1734, 1745 (TTAB 2014); *Baseball Am. Inc. v. Powerplay Sports Ltd.*, 71 USPQ2d 1844, 1847 n.9 (TTAB 2004)).

Additionally, the goods and/or services of the parties have no restrictions as to nature, type, channels of trade, or classes of purchasers and are "presumed to travel in the same channels of trade to the same

class of purchasers." *In re Viterra Inc.*, 671 F.3d 1358, 1362, 101 USPQ2d 1905, 1908 (Fed. Cir. 2012) (quoting *Hewlett-Packard Co. v. Packard Press, Inc.*, 281 F.3d 1261, 1268, 62 USPQ2d 1001, 1005 (Fed. Cir. 2002)). Thus, applicant's and registrant's goods and/or services are related.

Accordingly, as currently identified, the parties' services are either identical, overlapping or highly related, and therefore considered related for purposes of likelihood of confusion analysis.

In view of the foregoing, the application must be refused registration pursuant to Section 2(d) of the Trademark Act.

Although applicant's mark has been refused registration, applicant may respond to the refusal(s) by submitting evidence and arguments in support of registration.

If applicant responds to the refusal(s), applicant must also respond to the requirement(s) set forth below.

### **DISCLAIMER REQUIRED**

Applicant must disclaim the wording "AESTHETICS" because it is merely descriptive of an ingredient, quality, characteristic, function, feature, purpose, or use of applicant's goods and/or services. *See* 15 U.S.C. §§1052(e)(1), 1056(a); *DuoProSS Meditech Corp. v. Inviro Med. Devices, Ltd.*, 695 F.3d 1247, 1251, 103 USPQ2d 1753, 1755 (Fed. Cir. 2012); TMEP §§1213, 1213.03(a).

The attached evidence from Merriam Webster Online Dictionary shows this wording means of, relating to, or dealing with aesthetics or the beautiful. Applicant's specimen of record shows that applicant's medical services are in the aesthetics field. Thus, the wording merely describes applicant's goods and/or services because a purpose of applicant's services are that they are for the aesthetics.

Applicant may respond to this issue by submitting a disclaimer in the following format:

No claim is made to the exclusive right to use "AESTHETICS" apart from the mark as shown.

For an overview of disclaimers and instructions on how to provide one using the Trademark Electronic Application System (TEAS), see the Disclaimer webpage.

### **RESPONSE GUIDELINES**

Please call or email the assigned trademark examining attorney with questions about this Office action. Although an examining attorney cannot provide legal advice, the examining attorney can provide additional explanation about the refusal(s) and/or requirement(s) in this Office action. *See* TMEP §§705.02, 709.06.

The USPTO does not accept emails as responses to Office actions; however, emails can be used for informal communications and are included in the application record. *See* 37 C.F.R. §§2.62(c), 2.191; TMEP §§304.01-.02, 709.04-.05.

**How to respond.** File a <u>response form to this nonfinal Office action</u> or file a <u>request form for an extension of time to file a response</u>.

/Alexandra Portaro/ Alexandra Portaro Examining Attorney LO126--LAW OFFICE 126 (571) 270-3924 Alexandra.Portaro@USPTO.GOV

### RESPONSE GUIDANCE

- Missing the deadline for responding to this letter will cause the application to <u>abandon</u>. A response or extension request must be received by the USPTO before 11:59 p.m. Eastern Time of the last day of the response deadline. Trademark Electronic Application System (TEAS) <u>system availability</u> could affect an applicant's ability to timely respond. For help resolving technical issues with TEAS, email <u>TEAS@uspto.gov</u>.
- Responses signed by an unauthorized party are not accepted and can cause the application to abandon. If applicant does not have an attorney, the response must be signed by the individual applicant, all joint applicants, or someone with legal authority to bind a juristic applicant. If applicant has an attorney, the response must be signed by the attorney.
- If needed, **find contact information for the supervisor** of the office or unit listed in the signature block.

# DAVAM

Word Mark DAVAM

•

IC 044 US 100 101

Providing medical care services in the field of urgent medical care for minor emergencies, pediatric and family care, bariatric care, sports medicine,

outpatient surgery, outpatient physical therapy, and cosmetic and

dermatological care; providing medical testing, imaging and advisory services in the field of urgent medical care for minor emergencies, pediatric and family care, bariatric care, sports medicine, outpatient surgery, outpatient physical therapy, and cosmetic and dermatological care; and providing counseling

services on health and wellness.

**Register** PRINCIPAL

Serial Number 86209252

**Filing Date** 2014-03-03T00:00:00

Original Filing Basis 1b

Goods/Services

Current Filing Basis 1a

**Publication Date** 2014-09-16

**Registration Number** 4709446

**Date Registered** 2015-03-24

(REGISTRANT) Star Urgent Care, PLLC (LIMITED LIABILITY

Owner COMPANY; TEXAS, USA); 6022 FM 1488, Magnolia, TEXAS 77387,

UNITED STATES

**Type of Mark** SERVICE MARK

Mark Drawing Code (4) STANDARD CHARACTER MARK

**Translation**The English translation of the Persian word "DAVAM" in the mark is

"everlasting strength and eternity".

**Live Dead Indicator** LIVE

Status SECTION 8 & 15-ACCEPTED AND ACKNOWLEDGED

**Attorney of Record** Elizabeth R. Hall

**Print:** November 29, 2023 7:11 PM

# DAVAM

Word Mark DAVAM

•

IC 044 US 100 101

Providing medical care services in the field of urgent medical care for minor emergencies, pediatric and family care, bariatric care, sports medicine,

outpatient surgery, outpatient physical therapy, and cosmetic and

dermatological care; providing medical testing, imaging and advisory services in the field of urgent medical care for minor emergencies, pediatric and family care, bariatric care, sports medicine, outpatient surgery, outpatient physical therapy, and cosmetic and dermatological care; and providing counseling

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**Live Dead Indicator** LIVE

Status SECTION 8 & 15-ACCEPTED AND ACKNOWLEDGED

**Attorney of Record** Elizabeth R. Hall

**Print:** November 29, 2023 7:12 PM



Goods/Services

Owner

Word Mark DAVAM URGENT CARE

•

IC 044 US 100 101

Providing medical care services in the field of urgent medical care for minor emergencies, pediatric and family care, bariatric care, sports medicine, outrations surgery outrations physical therapy, and accomplise and

outpatient surgery, outpatient physical therapy, and cosmetic and

dermatological care; providing medical testing, imaging and advisory services in the field of urgent medical care for minor emergencies, pediatric and family care, bariatric care, sports medicine, outpatient surgery, outpatient physical therapy, and cosmetic and dermatological care; and providing counseling

services on health and wellness.

**Register** PRINCIPAL

Serial Number 86259424

**Filing Date** 2014-04-22T00:00:00

**Original Filing Basis** 1a

**Current Filing Basis** 1a

**Publication Date** 2014-09-02

**Registration Number** 4641263

**Date Registered** 2014-11-18

(REGISTRANT) Star Urgent Care, PLLC (LIMITED LIABILITY

COMPANY; TEXAS, USA); 6022 FM 1488, Magnolia, TEXAS 77354,

UNITED STATES

**Type of Mark** SERVICE MARK

Mark Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

**Design Code** 032101, 050505

• Color is not claimed as a feature of the mark.

**Description of Mark** 

• The mark consists of the stylized word "DAVAM" in capital letters above a graphic depiction of a sunflower with the stylized words "URGENT CARE" in capital letters curved below the sunflower. Superimposed over the center of the sunflower is a caduceus.

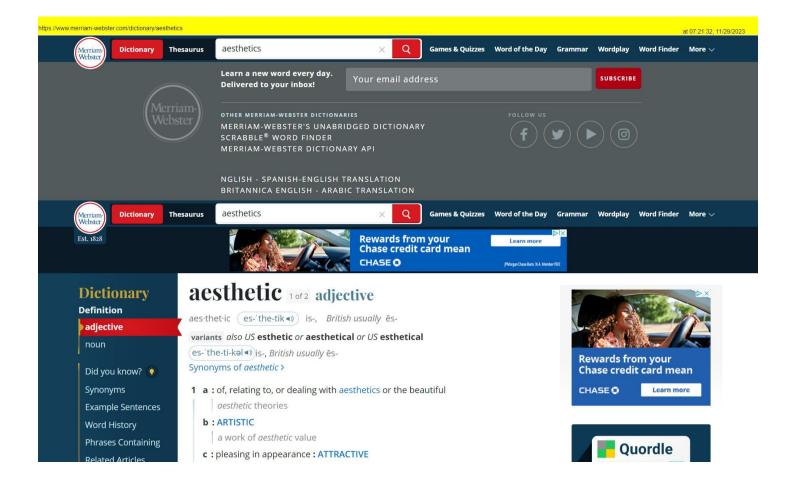
**Disclaimer** "URGENT CARE" AND THE DESIGN OF A CADUCEUS

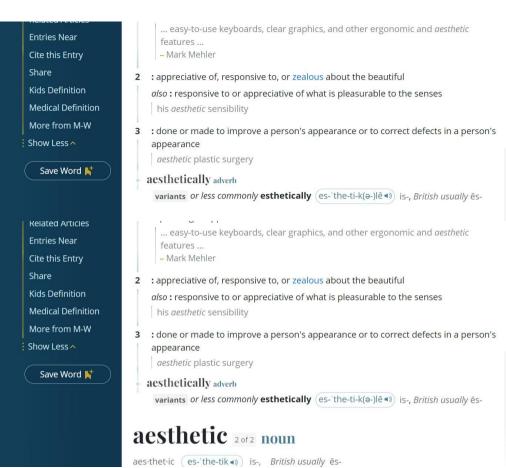
**Live Dead Indicator** LIVE

Status SECTION 8 & 15-ACCEPTED AND ACKNOWLEDGED

**Attorney of Record** Elizabeth R. Hall

**Print:** November 29, 2023 7:12 PM











variants or less commonly esthetic

- 1 aesthetics also esthetics es-'the-tiks \*) is-, British usually es- plural in form but singular or plural in construction: a branch of philosophy dealing with the nature of beauty, art, and taste and with the creation and appreciation of beauty
- 2 : a particular theory or conception of beauty or art: a particular taste for or approach to what is pleasing to the senses and especially sight modernist *aesthetics* 
  - staging new ballets which reflected the *aesthetic* of the new nation Mary Clarke & Clement Crisp
- aesthetics also esthetics plural: a pleasing appearance or effect: BEAUTY
   appreciated the aesthetics of the gemstones







### Did you know?

### The Singular (Or Plural) Art of Aesthetics

The noun *aesthetic* is often found used in its plural form. In the plural form, *aesthetics* can refer to the theory of art and beauty—and in particular the question of what makes something beautiful or interesting to regard:

Although he could extemporize animatedly about the history of the valve seat

grinder, or the art of ropemaking, or how long it took to manually drill blast holes into a deposit of coal, *aesthetics* were another matter. The unlikely beauty of his rusty treasures defied elaboration.

Donovan Hohn, Harper's, January 2005

### This sense is sometimes encountered in constructions that treat it as singular:

With the removal of the studio packages, those cinema owners still providing double features began exploring less arbitrary and more justified pairings of films. The double feature became a special element of movie houses concentrating on the presentation of classic and art films. And this is where an *aesthetics* of the double feature emerges.

Chadwick Jenkins, PopMatters, 16 Aug. 2016

So Sontag was wrong to describe camp as an "unserious, 'aesthete's' vision." *Aesthetics* is always serious when agreed-upon interpretations are changed or stolen or emptied out.

Dave Hickey, Harper's, December 2009

# A word that follows a similar pattern is *poetics*, (which also happens to be the title of a work by Aristotle focusing on literary theory and discourse):

A *poetics* of film, he has argued, seeks to reveal the conventions that films use to achieve their effects-and cognitive explanations provide insight into how and why filmic conventions, like shot-reverse-shot or empathy close-ups, produce the effects they do.

Alissa Quart, *Lingua Franca*, March 2000

### As a plural noun, *aesthetics* can also be used as a synonym for *beauty*:

For reasons of economy and *aesthetics*, though, most of the house was stick built and is perfectly cozy without any elaborate beam work.

Andrew Vietze, *Down East*, May 2003





### Synonyms Adjective beautiful beauteous attractive bonny [chiefly British] bonnie comely cute drop-dead fair fetching good good-looking gorgeous handsome goodly likely lovely knockout ravishing lovesome pretty stunning sightly seemly well-favored taking Noun beautifulness attractiveness beauteousness beauty comeliness cuteness

handsomeness

prettiness

sightliness

loveliness

gorgeousness

See all Synonyms & Antonyms in Thesaurus >

### Examples of *aesthetic* in a Sentence

fairness

looks

Adjective



My generation has an annoying penchant for treating luxuries as necessities and turning guilty pleasures into *aesthetic* and even moral touchstones.

- Terrence Rafferty, GQ, October 1997

Whereas the essence of Proust's *aesthetic* position was contained in the deceptively simple yet momentous assertion that "a picture's beauty does not depend on the things portrayed in it."

- Alain de Botton, How Proust Can Change Your Life, 1997

I suppose that jazz listening and prizefight watching are my two most passionate avocations, and this is largely so because the origins of my *aesthetic* urges are in the black working class.

– Gerald Early, "The Passing of Jazz's Old Guard: ... ," in *The Best American Essays 1986*, Elizabeth Hardwick & Robert Atwan, editors, 1986

### See More ~

### Recent Examples on the Web

### **Adjective**

A great deal of our design process is to make the practical elements comply with our strong *aesthetic* principles, craftsmanship and qualities of our collections.

- Laird Borrelli-Persson, Vogue, 21 Nov. 2023

Beyond *aesthetic*, overall size factors into whether a bookshelf can fit through doorways and staircases, too—an especially important consideration for large bookshelves that arrive assembled.

- Kristina McGuirk, Better Homes & Gardens, 20 Nov. 2023

### See More v

These examples are programmatically compiled from various online sources to illustrate current usage of the word 'aesthetic.' Any opinions expressed in the examples do not represent those of Merriam-Webster or its editors. Send us feedback about these examples.





### Word History

### **Etymology**

### Adjective

borrowed from German  $\ddot{a}sthetisch$  "pertaining to taste or discernment," borrowed from New Latin aestheticus, borrowed from Greek  $aisth\bar{e}tik\acute{o}s$  "of sense perception, sensitive, perceptive," from  $aisth\bar{e}t\acute{o}s$  "sensible, perceptible" (verbal adjective of  $aisth\acute{a}nomai$ ,  $aisth\acute{a}nesthai$  "to perceive, take notice of, understand," going back to \*awis-th-, from \*awis-, base of Greek  $a\acute{l}ein$  "to perceive, hear" + -th-, resultative noun suffix) + -ikos -IC entry 1 — more at AUDIBLE entry 1

NOTE: German *aesthetisch/ästhetisch* (New Latin *aestheticus*) was initially promulgated as a philosophical term in the work of Alexander Baumgarten (1714-62) and subsequently by Immanuel Kant.

### Moun

borrowed from German Ästhetik, borrowed from New Latin aesthetica, from feminine of aestheticus AESTHETIC entry 1 — more at -ICS

### First Known Use

Adjective



nujective

1797, in the meaning defined at sense 1a

### Noun

1822, in the meaning defined at sense 1

### **Time Traveler**

The first known use of *aesthetic* was in 1797

See more words from the same year

### Phrases Containing aesthetic

non-aesthetic

aesthetic distance



### Articles Related to aesthetic



The Words of the Week - Aug. 25

Dictionary lookups from politics, Russia, and the judicial system



Every Letter Is Silent, Sometimes

When each letter can be seen but not heard



'Ascetic' vs. 'Aesthetic' Going below the surface





# Dictionary Entries Near aesthetic aesthete aesthetic aesthetic distance See More Nearby Entries > Cite this Entry Style MLA "Aesthetic." Merriam-Webster.com Dictionary, Merriam-Webster, https://www.merriam-webster.com/dictionary/aesthetic. Accessed 29 Nov. 2023. © Copy Citation



### **Kids Definition**

## aesthetic adjective

aes-thet-ic

variants or esthetic es-'thet-ik,is-

: of or relating to beauty or what is beautiful

aesthetically -i-k(ə)-lē adverb



### Medical Definition

# aesthetic adjective

aes·thet·ic (es-'the-tik, British usually ēs-◄))

: done or made to improve a person's appearance or to correct defects in a person's appearance





Dentists are still drilling and filling, but the fastest growing part of the practices are *aesthetic* procedures, such as bleaching teeth and using tooth-colored material for fillings ...

- Sarah Skidmore, The San Diego Union-Tribune

### More from Merriam-Webster on aesthetic

Nglish: Translation of *aesthetic* for Spanish Speakers Britannica English: Translation of *aesthetic* for Arabic Speakers

Last Updated: 24 Nov 2023 - Updated example sentences

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MERRIAM-WEBSTER UNABRIDGED

### Games & Quizzes







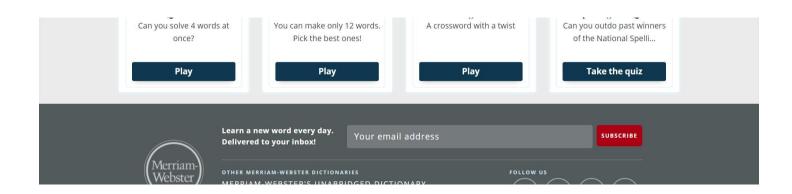


Quordle

**Blossom Word Game** 

**Missing Letter** 

Spelling Bee Ouiz



### **United States Patent and Trademark Office (USPTO)**

### **USPTO OFFICIAL NOTICE**

Office Action (Official Letter) has issued on November 29, 2023 for U.S. Trademark Application Serial No. 97801001

A USPTO examining attorney has reviewed your trademark application and issued an Office action. You must respond to this Office action to avoid your application abandoning. Follow the steps below.

- (1) Read the Office action. This email is NOT the Office action.
- (2) **Respond to the Office action by the deadline** using the Trademark Electronic Application System (TEAS). Your response, or extension request, must be received by the USPTO on or before 11:59 p.m. **Eastern Time** of the last day of the response deadline. Otherwise, your application will be abandoned. See the Office action itself regarding how to respond.
- (3) **Direct general questions** about using USPTO electronic forms, the USPTO <u>website</u>, the application process, the status of your application, and whether there are outstanding deadlines to the <u>Trademark Assistance Center (TAC)</u>.

After reading the Office action, address any question(s) regarding the specific content to the USPTO examining attorney identified in the Office action.

### GENERAL GUIDANCE

- <u>Check the status</u> of your application periodically in the <u>Trademark Status & Document Retrieval (TSDR)</u> database to avoid missing critical deadlines.
- <u>Update your correspondence email address</u> to ensure you receive important USPTO notices about your application.
- Beware of trademark-related scams. Protect yourself from people and companies that may try to take financial advantage of you. Private companies may call you and pretend to be the USPTO or may send you communications that resemble official USPTO documents to trick you. We will never request your credit card number or social security number over the phone. Verify the correspondence originated from us by using your serial number in our database, <a href="TSDR">TSDR</a>, to confirm that it appears under the "Documents" tab, or contact the <a href="Trademark Assistance Center">Trademark Assistance Center</a>.
- Hiring a U.S.-licensed attorney. If you do not have an attorney and are not required to

have one under the trademark rules, we encourage you to hire a U.S.-licensed attorney specializing in trademark law to help guide you through the registration process. The USPTO examining attorney is not your attorney and cannot give you legal advice, but rather works for and represents the USPTO in trademark matters.